

LS 5-1003

OGC Has Reviewed

27 April 1955

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Intelligence Advisory Committee Review of ELINT Directives from the National Security Council

1. There is no statutory or legal requirement that proposed National Security Council Intelligence Directives be referred to the Intelligence Advisory Committee before presentation by the Director to the National Security Council. Paragraph 3a of NSCID #1 is, however, an administrative mandate to assure that no action is brought before the National Security Council without full coordination in the intelligence community.

2. To my personal recollection no thought was given to USCIB matters in drafting paragraph 3a, which requires concurrence or nonconcurrence of the Intelligence Advisory Committee. In any case, the Intelligence Advisory Committee's coordination is not a right of the Intelligence Advisory Committee but is a requirement of the National Security Council. Since lack of unanimity is resolved, according to paragraph 3a, so far as the National Security Council is concerned by decision of the Secretary of Defense, it would appear that the Secretary of Defense's approval of the ELINT paper would fulfill technical requirements of the National Security Council so far as the military members of the Intelligence Advisory Committee are concerned.

3. In addition, the Secretary of Defense was designated the Executive Agent of the Government for COMINT matters, and this Agency might well extend to the immediately related ELINT field. If so, the Secretary of Defense's approval could be taken as coordination for the Government.

4. As a practical matter, it might be well in connection with USCIB Directives to inform the Intelligence Advisory Committee that coordination would be achieved at the Secretary of Defense level and give the Intelligence Advisory Committee such information as might seem appropriate in each case.

JMC: LRM:jeb
cc: ooc chms
subject

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LAWRENCE B. HOUSTON
General Counsel

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